

AO 257 (Rev. 6/78)

## DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

## OFFENSE CHARGED

8 U.S.C. Sections 1326(a) and (b) - Deported Alien Found in the United States

- Petty
- Minor
- Misdemeanor
- Felony

## PENALTY:

20 years imprisonment; \$250,000 fine; 3 years supervised release and \$100 special assessment

## PROCEEDING

Name of Complainant Agency, or Person (&Title, if any)

Immigration and Customs Enforcement

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprocsecution of charges previously dismissed which were dismissed on motion of:

U.S. Att'y  Defense

this prosecution relates to a pending case involving this same defendant

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM

JOSEPH P. RUSSONIELLO

U.S. Att'y  Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned)

DANIEL R. KALEBA, AUSA

## IS NOT IN CUSTODY

- Has not been arrested, pending outcome this proceeding.
- 1)  If not detained give date any prior summons was served on above charges
  - 2)  Is a Fugitive
  - 3)  Is on Bail or Release from (show District)

## IS IN CUSTODY

- 4)  On this charge
  - 5)  On another conviction
  - 6)  Awaiting trial on other charges
- }       Fed'l     State

If answer to (6) is "Yes", show name of institution

Has detainer been filed?  Yes     No    } If "Yes" give date filed \_\_\_\_\_

DATE OF ARREST    }    Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY    }    Month/Day/Year

2/29/2008

This report amends AO 257 previously submitted

## ADDITIONAL INFORMATION OR COMMENTS

## PROCESS:

SUMMONS  NO PROCESS\*     WARRANT    Bail Amount: \_\_\_\_\_

If Summons, complete following:

Arraignment  Initial Appearance

Defendant Address:

\*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_

# United States District Court E-filing

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA  
CRIMINAL DIVISION  
VENUE: OAKLAND

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UNITED STATES OF AMERICA,

v.

JUAN SARZA-GOMEZ,

FILED  
MAR 19 2008  
RICHARD W. WIEKING,  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

CR08-0173 DLJ

DEFENDANT.

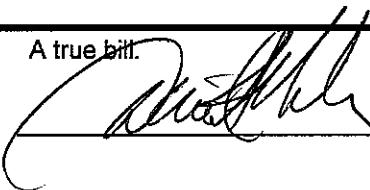
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## INDICTMENT

8 U.S.C. §§ 1326(a) and (b) - Deported Alien Found in  
the United States

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A true bill.

  
Foreman

Filed in open court this 19 day of  
MARCH 2008

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Clerk

Bail, \$ No bail or arrest warrant  
Wayne D. Brazil 3/19/08

1 JOSEPH P. RUSSONIELLO (CABN 44332)  
United States Attorney  
2  
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4  
5  
6  
7  
8

E-filing

LED  
FEB 19 2008  
3RD D. W. WIEKING  
U.S. DISTRICT COURT  
OAKLAND  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

12 UNITED STATES OF AMERICA, )  
13 Plaintiff, )  
14 v. )  
15 )  
16 JUAN SARZA-GOMEZ )  
17 Defendant. )  
18 \_\_\_\_\_ )

Criminal No.:

CR08-0173

DLJ

VIOLATION: 8 U.S.C. §§ 1326(a) and (b) –  
Deported Alien Found in the United States

OAKLAND VENUE

INDICTMENT

22 The Grand Jury charges:

- 23 1. Prior to May 24, 2004, the defendant, JUAN SARZA-GOMEZ, was convicted of at  
24 least one felony crime punishable by a term of imprisonment exceeding one year.
- 25 2. On or about May 24, 2004, the defendant, JUAN SARZA-GOMEZ, was removed,  
26 excluded, and deported from the United States.
- 27 3. After May 24, 2004, the defendant, JUAN SARZA-GOMEZ, knowingly and  
28 voluntarily reentered and remained in the United States.

INDICTMENT

4. On or about September 29, 2007, in the Northern District of California, the defendant, JUAN SARZA-GOMEZ, an alien, was found in the United States without having obtained the express consent of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission into the United States, in violation of Title 8, United States Code, Sections 1326(a) and (b).

DATED: March 19, 2008

A TRUE BILL

FOREPERSON

**JOSEPH P. RUSSONIELLO**  
United States Attorney

~~W. DOUGLAS SPRAGUE~~  
Chief, Oakland Branch

(Approved as to form: Dr. O. Kaleba  
AUSA DANIEL R. KALEBA